

## Article - General Provisions

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§5–852.

(a) In this part the following words have the meanings indicated.

(b) (1) “Applicant” means an individual or a business entity that is, with regard to the land that is the subject of an application:

(i) a title owner, an assignee, or a contract purchaser of the land;

(ii) a trustee that has an interest in the land, excluding a trustee described in a mortgage or deed of trust; or

(iii) a holder of at least a 5% interest in a business entity that has an interest in the land if:

1. the interest holder is involved significantly in directing the affairs of the business entity, including the disposition of the land; or

2. the interest holder is engaged in substantive actions specifically pertaining to land development in Howard County as a regular part of the activity of the business entity.

(2) “Applicant” includes:

(i) any other business entity in which an individual or business entity described in paragraph (1) of this subsection holds at least a 3% interest;

(ii) an officer or a director of a corporation who actually holds title to, or is the contract purchaser or assignee of, the land that is the subject of an application if:

1. the corporation is listed on a national securities exchange and the officer or director owns at least 5% of its stock; or

2. in the case of any other corporation, the officer or director owns any interest in the corporation; or

(iii) as to an application for a zoning regulation, any person authorized to sign the application.

(3) “Applicant” does not include:

(i) a financial institution that has loaned money or extended financing for the acquisition, development, or construction of improvements on the land that is the subject of an application;

(ii) a municipal corporation or public corporation;

(iii) a public authority;

(iv) a public service company acting within the scope of Division I of the Public Utilities Article; or

(v) a person who is:

1. less than a full-time employee of a person described in paragraph (1) or (2) of this subsection; and

2. hired or retained as an accountant, an attorney, an architect, an engineer, a land use consultant, an economic consultant, a real estate agent, a real estate broker, a traffic consultant, or a traffic engineer.

(c) “Application” means:

(1) an application for a zoning map amendment;

(2) an application for a zoning regulation amendment; or

(3) participation in the adoption and approval of a comprehensive zoning plan by appearing at a public hearing, filing a statement in an official record, or engaging in other similar communication with an elected official, where the intent is to change the classification or increase the density of the land of the applicant.

(d) “Business entity” means:

(1) a corporation;

(2) a general partnership;

(3) a joint venture;

- (4) a limited liability company;
- (5) a limited partnership; or
- (6) a sole proprietorship.

(e) “Candidate” means a candidate for election as Howard County Executive, or to the Howard County Council, who becomes an elected official.

(f) “Contribution” means any payment or transfer of money or property or the incurring of any liability or promise of anything of value to the treasurer of a candidate, a political committee, or a slate.

(g) “Contributor” means an individual or business entity that makes a contribution.

(h) “Elected official” means an individual who serves as Howard County Executive or as a member of the Howard County Council.

(i) (1) “Engaging in business” means entering into:

(i) a sale, a purchase, a lease, or other transaction involving goods, services, or real property; or

(ii) a contract, an award, a loan, an extension of credit, or any other financial transaction.

(2) “Engaging in business” does not include the sale of goods to an individual for the use or consumption of the individual or others for personal, family, or household purposes, as distinguished from industrial, commercial, or agricultural purposes.

(j) “Family member” means the spouse or child of either an applicant or a party of record who has made a contribution with the knowledge and consent of the applicant or party of record.

(k) “Party of record” means an individual or business entity that participates in a map amendment proceeding by the County Council or the zoning board, or who participates in the adoption and approval of a comprehensive zoning plan by appearing at a public hearing, filing a statement in an official record, or engaging in other similar communication with an elected official where the intent is to oppose a change in classification or an increase in density of the land of an applicant.

(l) “Political action committee” means a political committee that is not:

(1) a political party;

(2) a central committee;

(3) a slate; or

(4) a political committee organized and operated by, and solely on behalf of, an individual running for any elective office or a slate.

(m) “Political committee” means a committee, whether continuing or noncontinuing, specifically created to promote the candidacy of a person running for elective office.

(n) “Slate” means a group, combination, or organization of candidates created under the Election Law Article.

(o) (1) “Treasurer” has the meaning stated in § 1–101 of the Election Law Article.

(2) “Treasurer” includes a subtreasurer.

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